

**MINUTES FOR REGULAR COMMISSION MEETING HELD APRIL 16, 2012
BEGINNING AT 1:00 P.M. IN THE COMMISSION BOARD ROOM IN DUCHESNE,
UTAH**

Present

Commission Chairman Kirk J. Wood; Commissioner Kent R. Peatross, Deputy County Attorney Marea Doherty, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Absent

Commissioner Ronald Winterton was on family medical leave.

Opening Comments

Commissioner Peatross offered the prayer. There were no other comments.

Pledge Of Allegiance

Any wishing to participate.

Public Comment

None.

Tax Deferrals – Treasurer

The commission reviewed the attached tax deferrals. *Commissioner Peatross motioned to approve the tax deferrals as recommended by the Treasurer's Office. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 1:09 A.M...

The commission reviewed vouchers # 121320 through 121372 dated April 16, 2012, in the amount of one hundred sixteen thousand one hundred eighteen dollars and ninety seven cents (\$116,118.97) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Basic Energy Services, LP

Deputy Clerk Sweat stated that this is an oil and gas service business out of Texas. *Commissioner Peatross motioned to approve the business license application as presented. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Machinehead Motorsports

Deputy Clerk Sweat stated that this is a home based retail sales of motorsports parts. *Commissioner Peatross motioned to approve the business license application as presented. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Oil States Energy Services, LLC

Deputy Clerk Sweat stated that this is an oil field rental and service business with an office in Vernal. They previously had a business license with us under Stinger Well Head. *Commissioner Peatross motioned to approve the business license application as presented. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Filling A Vacant Seat On The Johnson Water Special Service District

Assistant Casper stated that she received an email from Karen Ashby letting us know that Dale Rasmussen is moving to Roosevelt so the commission needs to fill that seat. The board has given a list of nine people in the Pleasant Valley area and recommended Dusty Monks. *Commissioner Peatross motioned to appoint Dusty Monks for the unexpired term of a trustee position for precinct #4 on the Johnson Water Special Service District. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Consideration Of Surplus Equipment

Chairman Wood stated that we approved the process this morning.

Consideration Of Emergency Management Authorization

Chairman Wood stated that we discussed this earlier and no action is necessary.

Consideration Of Resolution No. 12-08, A Resolution Opposing The BLM's 2012 Oil Shale And Tar Sands Draft Programmatic Environmental Impact Statement, BLM Project # WO-300-1310-PP-OSHL (Hereafter 2012 OSTs DPEIS) For Lands Administered By The BLM In Colorado, Utah, And Wyoming

County/Community Planning Administrator joined the meeting at 1:30 P.M...

Administer Hyde stated that this is the oil shale and tar sands draft environmental impact statement. In 2008, they did a similar study of suitable lands for potential oil shale and tar sands leasing in Utah, Colorado, and Wyoming that was approved in 2008 that made just over two million acres of lands in those three states available for leasing for oil shale development and over four hundred thirty thousand acres in Utah for tar sands leasing. There was a coalition of environmentalists that filed suit against it and the BLM entered into a settlement with those groups and agreed to revisit the 2008 record of decision and start over with a fresh look at these lands. The 2012 effort has resulted in four hundred sixty two thousand acres of land in the three states for oil shale leasing and their proposed alternative allows ninety one thousand acres of tar sand leasing. Coalition of counties in Utah, Wyoming, and Colorado has proposed this resolution with the help of Mark Ward at UAC. Uintah County adopted it last week. We will meet on April 24, 2012 to determine what to do with the resolution and who to send it to for the most impact. Commissioner Peatross stated that he appreciated Administer Hyde's work on this and drafting it. *Commissioner Peatross motioned to adopt Resolution No. 12-08. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.*

Public Hearing- 1:30 P.M...

RS West Enterprises Inc. Bob West joined the meeting at 1:35 P.M...

Consideration Of Resolution no. 12-06, A Resolution Amending The Public Lands Section Of The Duchesne County General Plan To Incorporate The Uintah Basin Utah Energy Zone

Administer Hyde stated that in the last legislative session, Senate Bill 86 passed to establish the Uintah Basin Energy Zone. It calls upon land management agencies within that zone to make energy development their highest priority and to refrain from adopting rules and regulations that have high impact on the ability to harvest those natural resources and bring them to market. This resolution would incorporate the provisions of that energy zone bill into our county's general plan. Uintah County adopted this already and Daggett County will do the same. The Public Lands Committee requested amendments to the document. One was the grouping of townships and ranges listed in Section 1 be grouped according to whether they are in the Salt Lake Meridian or the Uintah Base and Meridian. Also they requested that we amend the general plan to recognize the provisions of the Surface Owner Protection Act.

Consideration Of Ordinance No. 12-299, An Ordinance Vacating The Plat Of Eagle Estates, Phase 4

Administer Hyde stated that Eagle Estates Phase 4 is a twenty two lot residential subdivision that was considered by the county in March of 2007. One of the issues was since a school bus was not going into Eagle Estates at that time, there was a request that a second access be put in. Such access shall be completed and accepted by the county within two years of the date of final plat approval by the County Commissioners prior to the sale of the 12th lot in Phase 4, whichever occurs first. Mr. West submitted bonding on August 10, 2007 from Celtic Bank, in the amount of \$592,810.34. The bond was effective until October 10, 2008; the plat was then recorded. In 2008, the housing bubble burst and the economy plunged into a recession. Mr. West was unable to complete the water system and street improvements. The bond elapsed and Mr. West did not renew it. No building permits have been issued. In July 2010, Mr. West approached the county with a proposal to amend the plat of Eagle Estates, Phase 4, to change it from a 22-lot subdivision, with lot sizes ranging from 1.59 to 6.34 acres in size to a 7-lot subdivision, with lots sizes ranging from 4.28 to 11.36 acres in size. Mr. West withdrew the request as he was not satisfied with the conditions of such an

approval. The county would not accept any new roads in the subdivision for county maintenance until they were paved and the second roadway connection to 3000 West was still required. Mr. West has decided that it is still not economically feasible to develop Eagle Estates, Phase 4 and requested to vacate the plat and turn it back into one piece of property. The Planning Commission has recommended approval of the request. We notified property owners in Phase 1-3 and property owners within three hundred thirty feet of the boundaries with no opposition.

Entered Back Into Regular Commission Meeting at 1:51 P.M...

Commissioner Peatross motioned to adopt Resolution No. 12-06. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Commissioner Peatross motioned to adopted Ordinance No. 12-299. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Minutes For Working Commission Meeting Held April 09, 2012

Commissioner Peatross motioned to approve the minutes as corrected. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Minutes For Regular Commission Meeting Held April 09, 2012

Commissioner Peatross motioned to approve the minutes as corrected. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed.

Adjournment

Chairman Wood adjourned the meeting at 2:27 P.M.

Read and approved this 23rd day of April 2012.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____